



Comisión Nacional de los Derechos Humanos

México

Recommendation 009/2010

The following is a synopsis of the recommendation emitted by the CNDH . The complete version may be consulted on this institution's web page.

Mexico, D. F., 24th of February 2010

Case: Medical Negligence resulting in loss of life to the detriment of V1.

Responsible Authority:

General Director of the Mexican Social Security Institute.

The Mexican National Human Rights Commission emitted its Recommendation 0972010 relating to the complaint of Q1, presented at the State Human Rights Commission of Sinaloa, in which he stated that at 12:46 hours on the 7th of April 2009, V1 who was his son, entered the emergency room of Regional General Hospital No. 1 of the IMSS in Culiacan, Sinaloa, due to firearm injuries in his left arm and thorax. He added that they took an x-ray of him and his son was then admitted into the Emergency Ward without him being able to see his son; he also stated that his son was not taken to an operating room because there was no surgeon available - he arrived at 14:00 hours when his son was only given an IV with serum and oxygen, without offering first aid assistance; V1 died at 15:46 hours of that same day.

From the logical-juridical analysis and the evidence that make up the file, the National Commission proved violations to the rights to the protection of health, and as a result, of life, to the detriment of V1, due to the inadequate provision of medical attention incurred on by civil servants assigned to the Regional General Hospital No. 1 of the IMSS in Culiacan, Sinaloa

The National Commission recommended that in the previously mentioned Regional General Hospital, a comprehensive training program on the subject of human rights is designed and implemented, giving special importance to the content, handling and observance of the Official Mexican Norms regarding Healthcare, aiming to make the public service provided by both the medical and nursing staff adjust to the legal framework. It must also focus on the sane administrative habits they must adhere to whilst fulfilling their duties, guaranteeing the execution of the exact intervention protocols, having to send the documents which certify that these conditions have been fulfilled to the National Commission.

Collaborate fully with the Mexican National Human Rights Commission in the initiation and processing of the complaint that this public institution brings before the Internal Control Body of this institute, against the doctors who intervened in the

treatment of V1, sending whichever documents are required to the National Institution.

Properly collaborate with the investigations derived from the accusation presented before the Attorney General's Office by the Mexican National Human Rights Commission as a result of these events, given that those involved are federal public servants. The documents which certify that this term has been complied with must be sent to the National Commission.

Instruct whomever it may concern so that the necessary measures are taken for there to be sufficient and properly trained personnel in all of the hospitals run by the Mexican Social Security Institute so that the medical emergencies which may occur at any time, are handled in a timely and efficient manner. This will safeguard the main interests of the medical service users, thus avoiding irregularities such as the ones which led to this pronouncement, having to send the documents which certify the fulfillment of this condition to the National Commission